

Village of Salado
Salado Municipal Building
301 North Stagecoach Road
Salado, Texas
Minutes of Regular Meeting of Board of Aldermen
May 21, 2020 at 6:30 p.m.

The Board of Aldermen meeting was called to order at 6:30 p.m. by Mayor Skip Blancett.

Mayor Blancett gave the Invocation and the Board of Aldermen led the Pledge of Allegiance to the United States flag.

Board Members Present: Mayor Skip Blancett, Aldermen Rodney Bell, Amber Preston Dankert, John Cole, and Michael Coggin. Mayor Pro-tem Frank Coachman was absent. (*The meeting was conducted via videoconference.*)

Staff Present: Village Administrator Don Ferguson and City Secretary Cara McPartland

Zoning Board of Adjustment

Discuss and consider action regarding an appeal of the interpretation of the Village Administrator regarding requirements relating to the side yard setback on property located at 477 Thomas Arnold Road in Salado, Bell County, Texas. (*Sabre 6 Commercial Properties LLC, Appellant*)

The Board of Aldermen convened as the Zoning Board of Adjustment.

Village Administrator Ferguson explained there is a lack of specificity in existing Code language regarding the definition of “setback” and what is or is not allowed in a side yard setback. He detailed the appellant’s site development plan, including side driveway/parking areas, portions of which are located within required setbacks. He noted that lack of specific Code provisions necessitated a variance request, which the applicant felt was not needed based on a difference in Code interpretations. Village Administrator Ferguson advised that side yard setbacks exist to provide adequate separation between properties and for utility/emergency access. He noted that the surrounding property owners have no objections to the planned development. Appellant Burrow felt that ground-level improvements, such as driveways and parking spaces, are allowed within the side yard setback, and only vertical construction, such as buildings, are prohibited in the setback. He said the design does comply and cited the Code definition of “yard” as “an open space at grade between a building and the adjoining lot lines, unaccompanied and unobstructed by any portion of a structure from the ground upward.” He argued that pavement and driveways are horizontal construction and by providing a 24-foot fire lane, he will be enhancing emergency access and public safety. Mr. Burrow felt the design meets current ordinances, which he said need clarification and revision on the issue of horizontal versus vertical construction.

Discussion addressed the proposed development’s lack of impact on school traffic; ingress/egress; purpose of setbacks as clear zones, regardless of whether area is paved or unpaved; interpretation

of vertical versus horizontal construction; emergency vehicle access; and lack of ordinance language clarity leading to differing interpretations.

Alderman Cole moved to approve appellant John Burrow's appeal of the interpretation of the Village Administrator regarding side yard setback requirements. Alderman Bell seconded. Alderman Dankert clarified that the motion is to approve Mr. Burrow's appeal, without the requirement that Mr. Burrow apply for a variance. Motion carried on a vote of 4-0. Mayor Blancett did not vote. Following the vote, the Zoning Board of Adjustment reconvened as the Board of Aldermen.

1. Citizens Communications

No citizen comments were heard.

2. Consent Agenda

- A. Approval of minutes of the Regular Board of Aldermen meeting of May 7, 2020.
- B. Approval of the April 2020 Financial Statements for the Village of Salado.

Alderman Cole moved to approve the Consent Agenda, as presented. Alderman Coggin seconded. Motion carried on a vote of 4-0.

3. Presentations

- A. Presentation of the annual payment from the Village of Salado to the Salado Volunteer Fire Department. (*Mayor Skip Blancett*)

Mayor Blancett presented a check in the amount of \$50,000 to Chief Shane Berrier and expressed appreciation to the Salado Volunteer Fire Department. Chief Berrier thanked the Board.

- B. Presentation by Salado Volunteer Fire Department Chief Shane Berrier regarding the proposed creation of Bell County Emergency Services District (ESD) No. 1. (*Fire Chief Shane Berrier*)

Chief Berrier spoke on the ongoing process of creating ESD No. 1, including certain deadlines relating to the petition and upcoming November election. He said that having an ESD will allow Salado to have a paid full-time staff of firefighter(s), improving level of service, coverage, and response time.

4. Village Administrator's Report

- Wastewater Project Update

Village Administrator Ferguson reported connection activity continues and meetings are planned for next week with owners who are interested in wastewater service extension to their properties.

He noted that certain recalculations and adjustments are being made to some wastewater customers' bills.

- Main Street Improvement Project Update

Village Administrator Ferguson reported significant progress on installation of business driveways and design changes to allow for concrete, rather than asphalt, along specific strips of Main Street. He said contractors are working with businesses to minimize construction impact. He noted that curb and sidewalk construction continues and decorative street light installation is planned for the next two weeks. He expected contractors to perform some weekend work and complete the project in early summer. He noted that Bermuda grass vegetation is being planted along Main Street, which will be maintained by the Village. He advised that TxDOT representatives will be present at the Board's next meeting.

- Fiscal Year 2021 Budget Preparations

Village Administrator Ferguson reported staff is gathering information for the proposed budget, including identification of long- and short-term needs. He spoke of recent legislation affecting tax caps and stressed that staff's intent is to propose a budget with no tax increase.

- Salado Cultural Arts District Laser Light Show

Village Administrator Ferguson reported that the event and associated expenditure of grant funding has been extended, as the event has been moved from April to the end of August.

- Sanctuary Development

Village Administrator Ferguson reported that staff will be meeting with developers to discuss details of the Public Improvement District (PID) set forth in the development agreement. He said a plat for the mixed use portion of the development is expected to be submitted and no site development work has begun.

- Coronavirus (COVID-19) Update

Village Administrator Ferguson advised there are 274 positive cases, 150 recoveries, and 3 deaths reported in Bell County. He said testing has increased significantly and there is a more than adequate supply of hospital beds and ventilators. He noted the importance of continuing safe hygiene practices, such as hand washing, face coverings, and social distancing. He spoke on newly issued indoor capacity limits for businesses and other types of services, such as camps and sports activities. He reported that Governor Abbott has not responded to the Village's letter requesting to hold its general election in July. He spoke on the possibility of federal relief funding for smaller cities. He said there will be an announcement next week on the Village's partnership with McLennan Small Business Development Center to open a small business resource center, with consultations available by appointment starting in June. He noted that the Economic Development Advisory Board (EDAB) held its initial meeting today and plans to meet on the fourth Wednesday

of each month at 5:00 p.m. He advised that applications are available for anyone wishing to serve, as there are two remaining positions on EDAB to be filled.

Discussion addressed future consideration of use of Hotel Occupancy Tax (HOT) funds for rebuilding of the Salado Museum's second floor balcony; continuation of the virtual meeting format; plan review procedures for Sanctuary development; Salado Plaza Road repairs; clean out of vegetation growth at the low water crossing; zoning issues related to new development near Smith Branch/Royal Street; joint plans to celebrate completion of the Main Street Improvement Project; budget preparations; and request for conceptual plans for TxDOT's Main Street improvements.

5. Ordinance

Consider approval of an ordinance of the Board of Aldermen of the Village of Salado, Texas, establishing an Economic Development Program under Chapter 380 of the Local Government Code for businesses impacted by the COVID-19 pandemic to promote new or expanded business development and stimulate business and commercial activity in the Village; repealing any ordinance in conflict therewith; providing a severability clause; and providing an effective date. (*Village Administrator*)

Village Administrator Ferguson reviewed previous Board direction to proceed with a small business assistance program, including refund of the Village's portion of sales tax collections for March and April 2020 and program application procedures and implementation. Discussion addressed legal review of the proposed ordinance; verification of information submitted on application form; relevant criteria to be considered when submitting/reviewing applications; potential pay-out not to exceed \$75,000 based on historic sales tax collections data; and administration of program. Alderman Bell suggested including an application submittal deadline of September 30, 2020.

Alderman Bell moved to approve the ordinance, as presented, with the addition of an application submittal deadline date of September 30, 2020, including administrative approval of applications and provision of program updates to the Board of Aldermen on a monthly basis. Alderman Dankert seconded. Motion carried on a vote of 4-0.

6. Discussion and Possible Action

- A. Discuss and consider possible action regarding a proposed Memorandum of Understanding relating to the anticipated designation of a critical habitat for the Salado Salamander. (*Village Administrator*)

Village Administrator Ferguson reviewed previous Board discussion of the upcoming critical habitat designation and associated procedures/timeframe. He stated the Bell County Adaptive Management Coalition, which includes the Village of Salado, has proposed contracting with environmental consultant NRS to prepare a presentation to U.S. Fish and Wildlife Service (USFWS), with the Village's share of the Coalition's cost to total \$15,000.

Alderman Dankert questioned the need to synthesize data that currently exists, as there is no need for additional research. Village Administrator Ferguson explained the Coalition's reasoning to pursue use of a consultant as more effective, given the specialized knowledge required and time constraints involved in preparing the most effective strategy. Alderman Dankert expressed concerns regarding consultant costs and felt the existing science and research can be submitted with an agreed-upon boundary map. She offered her services to the Coalition to help save upfront costs, as the Village will be incurring future expenditures related to the critical habitat designation's impact. Village Administrator Ferguson acknowledged Alderman Dankert's concern about upfront costs and said the Village has a unique opportunity through its standing and scientific data to mitigate the long-term impact of a critical habitat designation. He stated the Coalition's position that the consulting firm has the ability to combine its knowledge of scientific data with legal aspects of the critical habitat designation process to form a holistic approach on behalf of the Village and Coalition partners. Alderman Dankert asked if there was a bid process for consultant selection and Village Administrator Ferguson replied the professional services agreement was not subject to bidding. Alderman Coggin shared Alderman Dankert's concerns regarding costs and the consulting firm's qualifications. Village Administrator Ferguson said a meeting with Coalition representatives can be scheduled for next week to address questions and concerns expressed during tonight's discussion before any action is taken. Agreement was reached to hold a special meeting (via videoconference) to continue consideration of this item until Wednesday, May 27, 2020 at 6:00 p.m.

- B. Discuss and consider possible action regarding the prioritization of capital projects funded in the Fiscal Year 2020 Village of Salado Operating Budget. (*Village Administrator*)

Village Administrator Ferguson cited a list of Fiscal Year 2020 capital projects and asked the Board for input on prioritizing specific projects due to anticipated decrease in sales tax collections and associated budget cuts. Discussion favored putting most projects on hold as budget monitoring continues; projected decreases in sales tax revenue; and possible qualification for stimulus funding. Agreement was reached to move forward with Chisholm Trail drainage, Salado Plaza Road/low water crossing repairs, two administrative items, and to revisit the public restroom trailer prior to Stroll.

- C. Discuss and consider issues relating to the fiscal impact of the Coronavirus (COVID-19) pandemic on the Village of Salado. (*Village Administrator; no action will be taken on this item*)

No discussion was heard on this item.

- D. Discuss and consider possible action setting the date, time, and place for a Fiscal Year 2021 Goals and Priorities Workshop. (*Mayor Skip Blancett*)

Discussion favored holding a workshop meeting in-person, rather than via videoconference. Agreement was reached to continue action on this item and hold a July workshop at a date to be determined.

- E. Discuss and consider possible action regarding the continued use of the virtual meeting format for Salado Board of Aldermen meetings. (*Village Administrator*)

Discussion addressed continuing the virtual meeting format, while revisiting this item on every agenda as conditions change; social distancing measures for in-person meetings; and optimizing public input.

Addendum to Agenda

6. Discussion and Possible Action

- F. Discuss and consider possible action authorizing the expenditure of funds for preliminary design work relating to the proposed development of a “stepping-stone” path across the Salado Creek. (*Alderman Mike Coggin*)

Alderman Coggin reported on meetings with Village Administrator Ferguson, certain Royal Street business owners, and communications with Keep Salado Beautiful regarding a possible partnership to construct a stepping stone path across Salado Creek from Pace Park to Royal Street. Alderman Coggin described design features and details of the proposal, with the Village responsible for conducting and paying for engineering/regulatory portions of the project, while businesses would conduct and pay for all other associated construction materials and activity.

Alderman Dankert expressed concerns about silt levels, damming effect of the path, and high flow events causing meandering and undermining of the creek in that area. She cautioned that as the creek bed moves over time, the stepping stones may be displaced. She also noted that the stepping stone path would be drawing people to impact a protected area and possibly result in designating the threatened salamander as endangered. Alderman Coggin said that engineering work will include water modeling to address silt back-up concerns. He said the “sawtooth” design will allow water to flow underneath rocks that could be used as habitat for the salamander. Village Administrator Ferguson said the project might also include an educational component with signage. Alderman Coggin envisioned people parking at Pace Park, walking across the stepping stones toward Royal Street, and returning via the path back to their parked vehicles. He advised that business owners have indicated they would like to put string lights along the path for nighttime visibility. He said an ADA-accessible path would utilize the existing Main Street bridge. Alderman Coggin stated the preliminary engineering/permitting costs for the Village are estimated to be \$8,500, with businesses paying for the materials, installation, and some shared maintenance. Discussion addressed legal review of potential liability issues, agreements with property owners, and specific regulatory requirements that must be met in order to build and maintain the path.

Alderman Bell moved to approve an expenditure not to exceed \$8,500 for preliminary engineering for the project. Alderman Dankert seconded. Alderman Dankert asked that the Board be allowed to review the preliminary engineering work before moving forward with the project. Village Administrator Ferguson noted the Board will approve each stage of the project. Motion carried on a vote of 2-1-1. Alderman Cole voted against. Alderman Coggin abstained.

- G. Discuss and consider possible action approving the route for the Salado High School Graduation Parade on Saturday, May 23, 2020. (*Village Administrator*)

Village Administrator Ferguson recommended approval of the proposed route running the length of Williams Road, starting at 10 a.m. at the Salado High School parking lot and moving south to West Village Road. Discussion also established that an evening graduation parade for kindergartners is planned for May 29, 2020. Alderman Bell moved to approve the route for the Salado High School Graduation Parade on Saturday, May 23rd and also for the upcoming kindergarten graduation parade to be held along the same route. Alderman Dankert seconded. Motion carried on a vote of 4-0.

Adjournment

Mayor Blancett announced that earlier today Mayor Pro-tem Frank Coachman resigned his position on the Board of Aldermen and as candidate for mayor, citing work obligations as a state educator and local business owner, which have been made more complicated by the impact of COVID-19. Village Administrator Ferguson advised that there will be items on the Board's next regular meeting agenda to accept Mayor Pro-tem Coachman's resignation, appoint a new mayor pro-tem, and consider action on filling the vacancy created by said resignation.

Alderman Dankert moved to adjourn. Alderman Cole seconded. Mayor Blancett called the meeting adjourned at 9:14 p.m.

Recorded by:

Cara McPartland

These minutes approved on the 4th of June, 2020.

APPROVED:


Skip Blancett, Mayor

ATTEST:


Cara McPartland, City Secretary

